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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UGOCHUKWU GOODLUCK NWAUZOR, FERNANDO AGUIRRE-URBINA, individually and on behalf of all those similarly situated,

Plaintiff,

v.

THE GEO GROUP, INC., a Florida corporation,

Defendant.

No. 3:17-cv-05769-RJB

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO

Plaintiffs respectfully submit the attached supplemental authority with respect to the arguments made at pages 4, 6, 7, 9 of the Reply in Support of GEO's Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. #104) in reliance on the Declaration of Tracey Valerio (Dkt. #105). The attached letter from Anne M. Rose, Associate Legal Advisor in the Office of the Principal Legal Advisor for U.S. Immigration and Customs Enforcement, dated August 1, 2018, and received by undersigned counsel via email at 4:45 p.m. on this date, directly relates to the admissibility, reliability, and lack of legal authority of the Valerio Declaration and therefore to all arguments reliant on that Declaration. As the August 1 date of

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO -1 Case No. 3:17-cv-05769-RJB

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the letter demonstrates, Plaintiffs could not have presented this authority to the Court at any earlier time.

Undersigned counsel for the Plaintiffs conferred by telephone and email with counsel for Defendant immediately upon receiving the letter from ICE. Defendant declined to withdraw the Declaration and intends to offer Ms. Valerio as an expert witness.

Neither Anne Rose, ICE Counsel, nor Kristin Gibson, the Assistant United States Attorney contact for this matter, could be reached via email or telephone to determine whether ICE intends to appear in open court to lodge its objection, or whether the Department of Justice intends to do so on its behalf.

DATED this 1st day of August, 2018.

LAW OFFICE OF R. ANDREW FREE

s/R. Andrew Free

R. Andrew Free, admitted *pro hac vice*P.O. Box 90568
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PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO -2 Case No. 3:17-cv-05769-RJB

CERTIFICATE OF SERVICE

2	I hereby certify that on August 1, 2	018, I electronically filed the foregoing with the
3	Clerk of the Court using the CM/ECF system which will send notification of such filing to the	
4	following:	
5	Devin T. Theriot-Orr, WSBA # 33995 SUNBIRD LAW, PLLC	Mark Emery NORTON ROSE FULBRIGHT US LLP
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8	Attorney for Plaintiffs	Attorney for Defendant
9 10	Joan K. Mell III BRANCHES LAW, PLLC 1019 Regents Boulevard, Suite 204	Charles A. Deacon NORTON ROSE FULBRIGHT US LLP 300 Covent St.
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12	•	Ç
13	Attorney for Defendant	Attorney for Defendant
14	Andrea D'Ambra NORTON ROSE FULBRIGHT US LLP	Adam Berger
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17	Attorney for Defendant	Seattle, Washington 98104
18		Attorneys for Plaintiffs
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20	8201 164 th Ave. NE, Suite 200 Redmond, WA 98052	
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21	Attorney for Plaintiffs	
22		
23		
24		
25	PLAINTIFFS' NOTICE OF	Law Office of R. Andrew Free

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO -3 Case No. 3:17-cv-05769-RJB

DATED: August 1, 2018, at Tacoma, Washington.

s/R. Andrew Free_

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PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO 4 Case No. 3:17-cv-05769-RJB